

REMARKS

Claims 1-26 of the present application remain pending. Claims 27-30 have been withdrawn.

CLAIM REJECTIONS 35 U.S.C. § 103

Claims 1, 4, 6-7, 9, 11, 14, 17, 19-20, 22, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith (U.S. Patent No. 5,949,997), hereinafter referred to as "Smith," and Zaidi et al. (U.S. Patent No. 6,542,981), hereinafter referred to as "Zaidi." The Applicants respectfully submit that claim limitations recited in Claims 1 and 14 of the present invention are neither taught nor suggested by Smith alone, or in combination with Zaidi. For example, Claim 1 of the present invention recites (emphasis added):

A method for updating contents of a first memory of a handheld computer system, said method comprising the steps of:

- a) receiving new information for said first memory from an external source, said first memory for storing information that is required during startup of said handheld computer system;
- b) storing said new information in a nonvolatile second memory of said handheld computer system;
- c) restarting said handheld computer system without relying on said new information;
- d) verifying said new information stored in said second memory to ensure that it is safe to load said new information into said first memory; and
- e) responsive to said verifying, loading said new information from said second memory into said first memory wherein said new information

stored in said first memory can be used for a subsequent startup of said handheld computer system.

Claim 14 of the present invention recites (emphasis added):

A handheld computer system comprising:

a processor;

a first memory, coupled to said processor, for storing information that is required during startup of said handheld computer system;

an input output device, coupled to said processor, for receiving new information intended for said first memory from an external source;

a second memory, coupled to said processor, for storing said new information, said second memory capable of retaining information stored therein upon a restart of said handheld computer system;

said processor for restarting said handheld computer system without relying on said new information; said processor further for verifying said new information stored in said second memory to ensure that it is safe to load said new information into said first memory; and said processor also for loading said new information from said second memory into said first memory such that said new information stored in said first memory can be used for a subsequent startup of said handheld computer system provided that said verifying of said new information yields a positive verification result.

The Applicants respectfully submit that the cited combination and specifically Smith does not teach or suggest restarting the handheld computer system without relying on the new information, and then verifying the new information. Instead, Smith teaches in column 2, lines 40-50 (emphasis added):

Once the second program is stored in the second bank, the microprocessor asserts a SWITCH signal to the reset circuit. In response, the reset circuit asserts a RESET signal to the microprocessor, which results in the microprocessor ceasing operations and entering a reset state. While the microprocessor is in the reset state, the reset circuit asserts a BOOT SELECT

signal to an address decode circuit, indicating that the second program should be retrieved to boot the microprocessor. Thereafter, the reset circuit clears or de-asserts the RESET signal to the microprocessor, which results in the microprocessor rebooting using the second program.

In other words, Smith clearly teaches that upon receiving the second program in the second memory bank, the microprocessor automatically reboots using the second program. Diagnostic testing of the second program is performed during the boot sequence of the second program. Smith does not teach or suggest that the handheld electronic device is first restarted without relying on the second program and subsequently performing a diagnostic of the second program prior to loading it into the first memory as recited in Claims 1 and 14 of the present invention.

The rejection cites item 62 of Figure 3 of Smith as showing the step of restarting the computer system without relying on the new information. However, Smith states column 5, lines 3-6:

Block 62 is a decision block that determines whether the microprocessor 14 has asserted the SWITCH signal 30. If so, control transfers to block 4, otherwise, control transfers to block 62.

As described above, Smith states in column 2, lines 40-50 that the microprocessor automatically asserts the SWITCH state, “once the second program is stored in the second bank.” The Applicants respectfully assert that this does not teach or suggest

the claim limitation recited in Claims 1 and 14 of the present invention of restarting the computer system without relying upon the new information.

Furthermore, the Applicants respectfully submit that the cited combination and specifically Smith does not teach or suggest loading new information from the second memory into the first memory and using the new information stored in the first memory in a subsequent startup of a handheld computer system as recited in Claims 1 and 14. Instead, Smith teaches re-designating the second memory as the new default boot bank. For example, column 4, lines 4-14 of Smith recite (emphasis added):

The SWITCH signal 30 instructs the reset circuit 12 to assert a BOOT SELECT signal 28 to the address decoder 16 to switch the boot sequence from the default bank to the non-default bank, e.g., flash memory bank A 20 to flash memory bank B 22, or vice versa, depending on which bank 20 or 22 is the default. The CONFIRM signal 32 is sent to the reset circuit 12 if the boot sequence is successful. The reset circuit 12 then updates the data in its non-volatile memory to identify the current non-default bank as the default bank for future boot sequences.

The Applicants respectfully submit that re-designating one memory bank or the other as the default memory bank teaches away from the claim limitation recited in Claims 1 and 14 of the present invention of loading the new information from the second memory into the first memory. Therefore, the Applicants respectfully submit that the claim limitations recited in independent Claims 1 and 14 of the present invention are not taught or suggested by Smith.

The cited combination does not render obvious Claim 1 or Claim 14 because the Applicants respectfully submit that Zaidi fails to overcome the above mentioned shortcomings of Smith. More specifically, Zaidi does not teach or suggest that the handheld electronic device is first restarted without relying upon the new information, nor does Zaidi teach or suggest that the new information is verified prior to loading it into the first memory as recited in Claims 1 and 14 of the present invention. For example, Zaidi teaches in column 5, lines 9-13 (emphasis added):

After obtaining the installable microcode upgrade, as shown in block 310, the user (or a technician) upgrades the writeable non-volatile memory, as shown in block 320. As currently contemplated, this is achieved by a flash memory upgrade known to those skilled in the art.

Thus, Zaidi teaches that upon obtaining the microcode upgrade, it is installed in the non-volatile memory. Zaidi does not teach or suggest that the system is first restarted without relying on the microcode upgrade or that the microcode upgrade is verified to ensure that it is safe to load prior to loading it into the first memory. Furthermore, the Applicants respectfully submit that the prior art conventional flash memory upgrade methods taught by Zaidi (e.g., column 5, lines 11-13) may be error-prone. For example, page 3, lines 7-10 of the instant application describe existing processes for updating boot code and OS code in flash ROM as being inherently error-prone which may not be interrupted or else the ROM will be corrupted or rendered unusable.

Additionally, Zaidi teaches in column 5, lines 31-45, (emphasis added):

Continuing to refer to FIG. 3, after the microcode upgrade has been installed as shown in block 320, the transfer instructions will be executed by the processor whenever the electronic system is rebooted/restarted, as shown in block 330. When the transfer instructions are executed by the processor, the transfer instructions cause the set of microcode instructions to be transferred to volatile memory of the processor. More specifically the transfer instructions include a special RISC instruction which invokes microcode instructions to memory in the processor. This transfer will occur whenever the electronic system is booted or restarted after the microcode upgrade is installed on writeable non-volatile memory, as shown in block 130.

The Applicants respectfully submit that Zaidi teaches that the microcode upgrade comprises BIOS updates. Therefore, according to the teaching of Zaidi, it would be impossible to boot the computer without relying on the microcode upgrade as it was already installed into the writeable non-volatile memory. This teaches away from the claim limitations recited in Claims 1 and 14 of the present invention of restarting said handheld computer system without relying on said new information.

The Applicants respectfully submit that a combination of the teachings of Smith and Zaidi would result in automatically loading the new information from the second memory into the first memory and automatically rebooting using the new information. At best, the diagnostic process of the new information would be performed while the boot process is being performed (e.g., Smith, column 5, lines 51-

60), if at all. However, if the new information is corrupted, there is no way of restoring the information that was previously resident in the first memory. In contrast, the embodiments of the present invention first restart without using the new information, perform the diagnostic check of the new information to verify that it is safe to load into the first memory. When the new information passes the diagnostic check, the embodiments of the present invention load the new information into the first memory where it can be used in a subsequent startup of the handheld computer system.

Furthermore, motivation for combining the methods of Smith and Zaidi to realize the claimed invention is lacking because Smith teaches away from Zaidi because Smith teaches that two copies of the BOOT sequence are stored in a plurality of flash banks, one of which is designated the default flash bank. However, Zaidi teaches that the BIOS microcode is automatically installed into the flash memory without verifying the microcode or storing a second copy thereof. As a result, the method of Zaidi results in a single copy of the BIOS code being stored in the flash memory. The Applicants further submit that there is no motivation for combining the methods of Smith and Zaidi in the manner recited in Claims 1 and 14 of the present invention as each of the cited references teaches a complete and functional method. Accordingly, the Applicants respectfully submit that the rejection of Claims 1 and 14 under 35 U.S.C § 103(a) is overcome.

Claims 4, 6, 7, and 9

Claims 4, 6, 7, and 9, depend from Claim 1 and recite additional limitations descriptive of embodiments of the present invention. The Applicants respectfully submit that the claim limitations recited in Claim 1 are not taught or suggested by Smith alone, or in combination with Zaidi.

With reference to Claim 4, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest that a checksum operation is performed prior to the second program/information being used to reboot the computer system as recited in Claim 4 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest that a checksum operation is performed prior to loading the new program/information from a second memory into a first memory as recited in Claim 4 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 4 under 35 U.S.C § 103(a) is overcome.

With reference to Claim 6, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest that the handheld computer system is restarted without relying upon the new program/information

prior to loading the new program/information from a second memory into a flash ROM memory as recited in Claim 6 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest verifying that the new program/information is safe to load into the flash ROM memory prior loading it into the first memory as recited in Claim 6 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 6 under 35 U.S.C § 103(a) is overcome.

With reference to Claim 7, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest that the handheld computer system is restarted without relying upon the new boot ROM code prior to loading the new boot ROM code from a second memory into a first memory as recited in Claim 7 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest verifying that the new boot ROM code is safe to load into the first memory prior to loading it into the first memory as recited in Claim 7 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 7 under 35 U.S.C § 103(a) is overcome.

With reference to Claim 9, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest that the handheld

computer system is restarted without relying upon the new program/information prior to loading the new program/information from a second memory into a first memory which has no information stored therein initially as recited in Claim 9 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest verifying that the new program/information is safe to load into the flash ROM memory prior to loading it into first memory which has no information stored therein initially as recited in Claim 9 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 9 under 35 U.S.C § 103(a) is overcome.

Claims 17, 19, 20, and 22

Claims 17, 19, 20, and 22 depend from Claim 14 and recite additional limitations descriptive of embodiments of the present invention. The Applicants respectfully submit that the claim limitations recited in Claim 14 are not taught or suggested by Smith alone, or in combination with Zaidi.

With reference to Claim 17, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a processor that performs a checksum operation prior to the second program/information being used to reboot the computer system as recited in Claim 17 of the present invention.

Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a processor that performs a checksum operation prior to loading the new program/information from a second memory into a first memory as recited in Claim 17 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 17 under 35 U.S.C § 103(a) is overcome.

With reference to Claim 19, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a handheld computer system that is restarted without relying upon the new program/information prior to loading the new program/information from a second memory into a flash ROM memory as recited in Claim 19 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a handheld computer system that verifies that the new program/information is safe to load into the flash ROM memory prior loading it into the first memory as recited in Claim 19 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 19 under 35 U.S.C § 103(a) is overcome.

With reference to Claim 20, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a handheld computer

system that is restarted without relying upon the new boot ROM code prior to loading the new boot ROM code from a second memory into a first memory as recited in Claim 20 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a handheld computer system that verifies that the new boot ROM code is safe to load into the first memory prior to loading it into the first memory as recited in Claim 20 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 20 under 35 U.S.C § 103(a) is overcome.

With reference to Claim 22, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a handheld computer system that is restarted without relying upon the new program/information prior to loading the new program/information from a second memory into a first memory which has no information stored therein initially as recited in Claim 22 of the present invention. Furthermore, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a handheld computer system that verifies that the new program/information is safe to load into the flash ROM memory prior to loading it into a first memory which has no information stored therein initially as recited in Claim 22 of the present invention. Accordingly, the Applicants respectfully submit that the rejection of Claim 22 under 35 U.S.C § 103(a) is overcome.

Claims 1, 11, 14, and 24

With reference to Claims 1, 11, 14, and 24, the Applicants respectfully submit that Smith alone, or in combination with Zaidi, does not teach or suggest a method or system in which a handheld computer system is restarted without relying on the new information as recited in Claims 1 and 14 of the present invention.

Additionally, Smith alone, or in combination with Zaidi, does not teach or suggest a method or system in which the handheld computer system then verifies that the new information is safe to load into the first memory as recited in Claims 1 and 14 of the present invention. Furthermore, Smith alone, or in combination with Zaidi, does not teach or suggest loading the new information from the second memory into the first memory in response to the verifying wherein the new information can be used for a subsequent startup of the computer system as recited in Claims 1 and 14 of the present invention. Accordingly, the Applicants respectfully submit that the rejections of Claims 1 and 14 under 35 U.S.C § 103(a) are overcome.

Claims 11 and 24 are dependent from Claims 1 and 14 respectively and recite additional claim limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that the rejections of Claims 11 and 24 under 35 U.S.C § 103(a) are overcome.

Claims 2, 8, 10, 15, 21, and 23

Claims 2, 8, 10, 15, 21 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, Zaidi, and Tamori et al (U.S. Patent No. 5,960,444), hereinafter referred to as "Tamori." As discussed above, the Applicants respectfully submit that the embodiments of the present invention as recited in independent Claims 1 and 14 are neither taught nor suggested by Smith alone, or in combination with Zaidi.

The Applicants respectfully submit that Tamori does not overcome the shortcomings of Smith or Zaidi. For example, the Applicants respectfully submit that Tamori does not teach or suggest the recited claim limitations of Claims 1 and 14 comprising:

- a) receiving new information for said first memory from an external source, said first memory for storing information that is required during startup of said handheld computer system;
- b) storing said new information in a nonvolatile second memory of said handheld computer system;
- c) restarting said handheld computer system without relying on said new information;
- d) verifying said new information stored in said second memory to ensure that it is safe to load said new information into said first memory; and
- e) responsive to said verifying, loading said new information from said second memory into said first memory wherein said new information stored in said first memory can be used for a subsequent startup of said handheld computer system.

The Applicants respectfully submit that Tamori does not teach or suggest that a handheld computer system is restarted without relying on the new information as recited in Claims 1 and 14 of the present invention.

Thus, a combination of Smith, Zaidi and Tamori would not result in a system in which the computer system is restarted without relying on the new information prior to verifying that the new information is safe to load into the first memory as recited in Claims 1 and 14 of the present invention.

With reference to Claims 2 and 15, which depend from Claims 1 and 14 respectively, the Applicants respectfully submit that Tamori does not teach or suggest the combination of the above recited claim limitations in combination with the additional limitation of:

copying existing information in said first memory to said second memory such that said existing information can be restored into said first memory should said first memory become corrupted.

Therefore, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 2 and 15 are not rendered obvious by Smith alone, or in combination with Zaidi and Tamori. Accordingly, the Applicants respectfully submit that the rejection of Claims 2 and 15 under 35 U.S.C § 103(a) is overcome.

With reference to Claims 8 and 21, which depend from Claims 1 and 14 respectively, the Applicants respectfully submit that Tamori does not teach or suggest the combination of the above recited claim limitations of Claims 1 and 14 with the additional limitation of the new information comprises operating system code. Therefore, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 8 and 21 are not rendered obvious by Smith alone, or in combination with Zaidi and Tamori. Accordingly, the Applicants respectfully submit that the rejection of Claims 8 and 21 under 35 U.S.C § 103(a) is overcome.

With reference to Claims 10 and 23, which depend from Claims 1 and 14 respectively, the Applicants respectfully submit that Tamori does not teach or suggest the combination of the above recited claim limitations of Claims 1 and 14 in combination with the additional limitation of the second memory comprises a random access memory (RAM). Therefore, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 10 and 23 are not rendered obvious by Smith alone, or in combination with Zaidi and Tamori. Accordingly, the Applicants respectfully submit that the rejection of Claims 10 and 23 under 35 U.S.C § 103(a) is overcome.

Claims 3 and 16

Claims 3 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, Zaidi, and Hill (U.S. Patent No. 5,987,605), hereinafter referred to as "Hill." As discussed above, the Applicants respectfully submit that the embodiments of the present invention as recited in independent Claims 1 and 14 are neither taught nor suggested by Smith alone or in combination with Zaidi.

The Applicants respectfully submit that Hill does not overcome the shortcomings of Smith and Zaidi. Specifically, Hill does not teach or suggest, "restarting said handheld computer system without relying on said new information," as recited in Claims 1 and 14 of the present invention. Furthermore, the Applicants respectfully submit that Hill teaches away from the embodiment of the present invention in column 2, lines 31-34 which state:

Methods and associated apparatus of the present invention enable selection of either the primary or secondary boot memory device for initial use by the associated programmable device.

Hill further teaches away from the embodiment of the present invention in column 2, lines 43-52 which state:

The boot memory device selected by the reset sending features of the present invention is referred to herein as the active memory (or presently active memory) whereas the memory (or memories) not so selected is referred to as inactive memory (or presently inactive memory). Therefore, either the primary or secondary boot memory device may be deemed the presently active

memory by operation of the sensing and selection features of the present invention. In other words, the presently active memory is the one used boot the programmable device.

Thus, the Applicants respectfully submit that both Smith and Hill teach away from the embodiment of the present invention in reciting systems which designate one or the other of a plurality of memory devices as the active (or bootable) memory device rather than loading the new program/information from the second memory to the first memory as recited in Claims 1 and 14 of the present invention. Additionally, neither Smith, Zaidi, nor Hill teach restarting the handheld computer system without relying on the new information as recited in Claims 1 and 14 of the present invention while Zaidi teaches automatically rewriting the flash memory contents without verifying that the new information is safe to load into the first memory.

Claims 5 and 18

Claims 5 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, Zaidi, and Lim (U.S. Patent No. 6,138,233), hereinafter referred to as "Lim." As discussed above, the Applicants respectfully submit that the embodiments of the present invention as recited in independent Claims 1 and 14 are neither taught nor suggested by Smith alone, or in combination with Zaidi.

The Applicants respectfully submit that Lim does not overcome the shortcomings outlined above of Smith and Zaidi. For example, Lim does not teach or suggest the recited claim limitations of Claims 1 and 14 comprising:

- a) receiving new information for said first memory from an external source, said first memory for storing information that is required during startup of said handheld computer system;
- b) storing said new information in a nonvolatile second memory of said handheld computer system;
- c) restarting said handheld computer system without relying on said new information;
- d) verifying said new information stored in said second memory to ensure that it is safe to load said new information into said first memory; and
- e) responsive to said verifying, loading said new information from said second memory into said first memory wherein said new information stored in said first memory can be used for a subsequent startup of said handheld computer system.

Thus, a combination of Smith, Zaidi and Lim would still result in a system which either designates a memory bank as the default boot memory bank, or automatically rewrites the flash memory contents without verifying that the new information is safe to load into the first memory.

With reference to Claims 5 and 18, the Applicants respectfully submit that Lim does not teach or suggest the combination of the above recited claim limitations with the additional limitation of:

step d) comprises the step of checking a power level of said computer system to ensure that said step e) can be completed without a power failure.

Therefore, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 5 and 18 are not rendered obvious by Smith alone, or in combination with Zaidi and Lim. Accordingly, the Applicants respectfully submit that the rejection of Claims 5 and 18 under 35 U.S.C § 103(a) is overcome.

Claims 12 and 25

Claims 12 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, Zaidi, and Pierre-Louis et al. (U.S. Patent No. 6,421,777), hereinafter referred to as "Pierre-Louis." As discussed above, the Applicants respectfully submit that the embodiments of the present invention as recited in independent Claims 1 and 14 are neither taught nor suggested by Smith alone, or in combination with Zaidi.

The Applicants respectfully submit that Pierre-Louis does not overcome the shortcomings of Smith and Zaidi. For example, Pierre-Louis does not teach or suggest the recited claim limitations of Claims 1 and 14 comprising:

- a) receiving new information for said first memory from an external source, said first memory for storing information that is required during startup of said handheld computer system;
- b) storing said new information in a nonvolatile second memory of said handheld computer system;

- c) restarting said handheld computer system without relying on said new information;
- d) verifying said new information stored in said second memory to ensure that it is safe to load said new information into said first memory; and
- e) responsive to said verifying, loading said new information from said second memory into said first memory wherein said new information stored in said first memory can be used for a subsequent startup of said handheld computer system.

Thus, a combination of Smith, Zaidi, and Pierre-Louis would still result in a system which either designates a memory bank as the default boot memory bank, or automatically rewrites the flash memory contents without verifying that the new information is safe to load into the first memory which are both unlike the claimed invention.

With reference to Claims 12 and 25, the Applicants respectfully submit that Pierre-Louis does not teach or suggest the combination of the above recited claim limitations with the additional limitation that the computer system is a personal digital assistant (PDA). Accordingly, the Applicants respectfully submit that the rejection of Claims 12 and 25 under 35 U.S.C § 103(a) is overcome.

Claims 13 and 26

Claims 13 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, Zaidi, Pierre-Louis, and Theimer et al. (U.S. Patent No.

6,421,777), hereinafter referred to as Theimer." As discussed above, the Applicants respectfully submit that the embodiments of the present invention as recited in independent Claims 1 and 14 are neither taught nor suggested by Smith alone, or in combination with Zaidi and Pierre-Louis.

The Applicants respectfully submit that Theimer fails to overcome the shortcomings of Smith, Zaidi, and Pierre-Louis. For example, neither Smith, Zaidi, Pierre-Louis, nor Theimer teach or suggest the recited claim limitations of Claims 1 and 14 comprising:

- a) receiving new information for said first memory from an external source, said first memory for storing information that is required during startup of said handheld computer system;
- b) storing said new information in a nonvolatile second memory of said handheld computer system;
- c) restarting said handheld computer system without relying on said new information;
- d) verifying said new information stored in said second memory to ensure that it is safe to load said new information into said first memory; and
- e) responsive to said verifying, loading said new information from said second memory into said first memory wherein said new information stored in said first memory can be used for a subsequent startup of said handheld computer system.

Thus, a combination of Smith, Zaidi, Pierre-Louis, and Theimer would still result in a system which either designates a memory bank as the default boot memory bank, or automatically rewrites the flash memory contents without verifying that the new information is safe to load into the first memory.

Accordingly, the Applicants respectfully submit that neither Pierre-Louis nor Theimer teach or suggest the above claim limitations with the additional claim limitation recited in Claims 13 and 26 wherein the external source of the new information is a personal digital assistant (PDA).

Thus, the Applicants respectfully submit that there is no teaching or suggestion in Smith alone or in combination with Zaidi, Pierre-Louis and Theimer, that renders obvious the embodiments of the present invention as recited in Claims 13 and 26. Accordingly, the Applicants respectfully submit that the rejection of Claims 13 and 26 under 35 U.S.C § 103(a) is overcome.

CONCLUSION

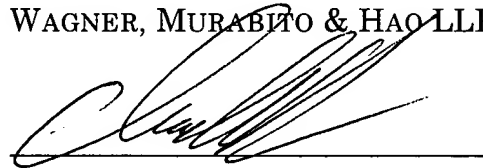
Based on the arguments presented above, the Applicants respectfully assert that Claims 1-26 overcome the rejections of record and, therefore, the Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Date: 11/8/2004

Respectfully submitted,

WAGNER, MURABITO & HAO LLP



Anthony C. Murabito

Reg. No. 35,295

Two North Market Street

Third Floor

San Jose, California 95113

(408) 938-9060